

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JORDY SANCHEZ,

Plaintiff,

- against -

JEAN AUSTIN and CENTRAL GARDEN AND PET
COMPANY,

Defendant(s).

Docket No.

NOTICE OF REMOVAL

TO THE CLERK OF THE COURT:

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendants Jean Austin and Central Garden and Pet Company (“Defendants”) gives notice of the removal of this action from the Supreme Court of the State of New York, County of Bronx, where it is now pending, to the United States District Court for the Southern District of New York. In support of this Notice of Removal, Defendants state that:

1. Plaintiff filed a Summons and Complaint in this action styled *Jordy Sanchez v. Jean Austin and Central Garden and Pet Company*, bearing Index No. 813323/2022E, before the Supreme Court of the State of New York, County of Bronx. A copy of the Summons and Complaint is annexed hereto as Exhibit A.
2. Central Garden and Pet Company received notice of the Summons and Complaint on or about September 22, 2022.
3. Jean Austin received notice of the Summons and Complaint on or about September 29, 2022.
4. The summons and complaint alleges, in sum and substance, that on February 3, 2022, Plaintiff sustained personal injuries when a motor vehicle operated by Defendant Jean

Austin, while in the course of his employment with Defendant Central Garden and Pet Company, came into contact with a vehicle being operated by Plaintiff.

5. Plaintiff, Jordy Sanchez, at all relevant times alleged in the Complaint, was and still is a citizen of Bronx, New York.

6. Jean Austin, at all relevant times alleged in the Complaint, was and still is a citizen of the Irvington, New Jersey.

7. Central Garden and Pet Company, at all relevant times alleged in the Complaint, was and still is a corporation incorporated in the State of Delaware with its principal place of business in California.

8. The Complaint alleges that the amount in controversy is \$1,000,000.00.

9. Accordingly, this action may be removed pursuant to 28 U.S.C. § 1332 on the basis of diversity jurisdiction.

10. Additionally, the Court has supplemental jurisdiction over any potential state law claims pursuant to 28 U.S.C. § 1367.

11. This Notice of Removal is timely filed within thirty (30) days after all Defendants received a copy of the initial pleadings setting forth the claims for relief and existence of diversity jurisdiction. 28 U.S.C. § 1332(a).

12. A civil cover sheet accompanies this Notice of Removal as Exhibit B.

13. Written notice of this Notice of Removal will be filed in the Supreme Court of the State of New York, County of Bronx.

WHEREFORE, Defendants Jean Austin and Central Garden and Pet Company respectfully request that this action be removed from the Supreme Court of the State of New York, County of Bronx to the United States District Court for the Southern District of New York.

Dated: New York, New York
October 24, 2022

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